

2. Paragraph (r) *Radioactivity standards* is amended by the addition of new samples 4200, 4945, 4946 and to revise samples 4922-C and 4997-B to read as follows:

ALPHA, BETA, GAMMA, STANDARDS

Sample No.	Radiation	Nuclide	Nominal activity	Volume	Price per sample
4922-D	γ, β^+	Sodium-22	10 ⁶ dps	5	\$27.00
4945	β^+	Strontium-90	10 ⁶ dps/g	3	30.00
4946	β, γ	Cerium-141	10 ⁶ dps/g	3	49.00

POINT SOURCE STANDARDS

Sample No.	Radiation	Nuclide	Nominal activity	Volume	Price per sample
4200	γ, β^-	Cesium-barium 137	5x10 ⁴ /s	Point source	\$46.00
4997-C	γ	Manganese-54	5x10 ⁴ /s	Point source	54.00

3. Paragraph (ee) *Metal organic standards* is amended to add samples 1078 and 1079 to read as follows:

Sample No.	Description	Approximate weight of sample in grams	Price per sample
1078	Tris (1-phenyl-1,3-butadiene) chromium (III).	5	\$10.00
1079	Tris (1-phenyl-1,3-butadiene) iron (III).	5	10.00

(Sec. 9, 31 Stat. 1450, as amended; 15 U.S.C. 277. Interprets or applies sec. 7, 70 Stat. 959; 15 U.S.C. 275a)

A. V. ASTIN,
Director,
National Bureau of Standards.

[F.R. Doc. 64-3858; Filed, Apr. 20, 1964; 8:46 a.m.]

Title 19—CUSTOMS DUTIES

Chapter 1—Bureau of Customs, Department of the Treasury

[T.D. 56151]

PART 8—LIABILITY FOR DUTIES; ENTRY OF IMPORTED MERCHANDISE

Entry of Articles Released Under Immediate Delivery Permit

Complaint has been made that the 2-day period, excluding the day of release,

(Sec. 9, 31 Stat. 1450, as amended; 15 U.S.C. 277. Interprets or applies sec. 7, 70 Stat. 959; 15 U.S.C. 275a)

A. V. ASTIN,
Director,
National Bureau of Standards.

[F.R. Doc. 64-3856; Filed, Apr. 20, 1964; 8:46 a.m.]

PART 230—STANDARD SAMPLES AND REFERENCE STANDARDS ISSUED BY THE NATIONAL BUREAU OF STANDARDS

Subpart B—Standard Samples and Reference Standards With Schedule of Weights and Fees

DESCRIPTIVE LIST

Pursuant to authority contained in 15 U.S.C. 275a the following amendments are effective upon publication in the FEDERAL REGISTER.

In § 230.11 *Descriptive list*:

1. Paragraph (m) *Spectrographic standards* is amended by the addition of 25 new samples to the (Copper-base alloy series) to read as follows:

Sample No.	Name	Price per sample
1103	Free-cutting brass A, wrought	\$25.00
C1103	Free-cutting brass B, chill-cast	25.00
1104	Free-cutting brass B, wrought	25.00
C1104	Free-cutting brass C, chill-cast	25.00
1105	Free-cutting brass C, wrought	25.00
C1105	Free-cutting brass C, chill-cast	25.00
1109	Red-brass A, wrought	25.00
C1112	Gilding metal A, wrought	25.00
1112	Gilding metal A, chill-cast	25.00
C1113	Gilding metal B, wrought	25.00
1113	Gilding metal B, chill-cast	25.00
C1114	Gilding metal C, wrought	25.00
1114	Gilding metal C, chill-cast	25.00
C1115	Commercial bronze A, wrought	25.00
1115	Commercial bronze A, chill-cast	25.00
C1116	Commercial bronze B, wrought	25.00
1116	Commercial bronze B, chill-cast	25.00
C1117	Commercial bronze C, wrought	25.00
1117	Commercial bronze C, chill-cast	25.00
C1118	Aluminum brass A, wrought	25.00
1118	Aluminum brass A, chill-cast	25.00
C1119	Aluminum brass B, wrought	25.00
1119	Aluminum brass B, chill-cast	25.00
C1120	Aluminum brass C, wrought	25.00
1120	Aluminum brass C, chill-cast	25.00

1 Sizes: The sample numbers not preceded by a letter "C" are wrought and are disks 1 1/4 inches in diameter, 3/4-inch thick; the sample numbers preceded by the letter "C" generally have the same composition but are in the form of chill-cast sections 1 1/4 inches square, 3/4-inch thick.

kind which is subject to a tariff-rate quota.

Accordingly, section 8.59 (g) of the Customs Regulations is amended by substituting the figure "4" for the figure "2" in the first sentence and by deleting the second sentence.

(Secs. 448, 484, 624, 46 Stat. 714, 722, as amended, 759; 19 U.S.C. 1448, 1484, 1624)

[SEAL] PHILIP NICHOLS, Jr.,
Commissioner of Customs.

Approved: April 14, 1964.

JAMES A. REED,
Assistant Secretary
of the Treasury.

[F.R. Doc. 64-3881; Filed, Apr. 20, 1964; 8:48 a.m.]

[T.D. 56150]

PART 14—APPRAISEMENT Antidumping; Steel Reinforcing Bars From Canada

APRIL 14, 1964.

Section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), gives the Secretary of the Treasury responsibility for determination of sales at less than fair value. Pursuant to such authority a determination was made, and on December 17, 1963, the United States Tariff Commission was advised that steel reinforcing bars from Canada, manufactured by Western Canada Steel Limited through its subsidiary, the Vancouver Rolling Mills Limited of Vancouver, Canada, are being, or are likely to be, sold in the United States at less than their fair value.

Section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), gives the United States Tariff Commission responsibility for determination of injury or likelihood of injury. The United States Tariff Commission has determined, and on March 23, 1964, it notified the Secretary of the Treasury, that an industry in the United States is likely to be injured by reason of the importation of steel reinforcing bars from Canada, manufactured by Western Canada Steel Limited through its subsidiary, the Vancouver Rolling Mills Limited of Vancouver, Canada, at less than fair value within the meaning of the Antidumping Act, 1921, as amended.

On behalf of the Secretary of the Treasury, I hereby make public these determinations, which constitute a finding of dumping with respect to steel reinforcing bars from Canada, manufactured by Western Canada Steel Limited through its subsidiary, the Vancouver Rolling Mills Limited of Vancouver, Canada.

Section 14.13(b) of the Customs Regulations is amended by adding the following to the list of findings of dumping currently in effect:

Merchandise	Country	T.D.
Steel reinforcing bars	Canada	56150

(Secs. 201, 407, 42 Stat. 11, as amended, 18; 19 U.S.C. 160, 173)

[SEAL]

JAMES A. REED,

Assistant Secretary of the Treasury.

[F.R. Doc. 64-3882; Filed, Apr. 20, 1964; 8:49 a.m.]

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

SUBCHAPTER A—INCOME TAX

[T.D. 6723]

PART 1—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

Interest, and Constructive Receipt of Income

On November 15, 1962, notice of proposed rule making with respect to the amendment of the Income Tax Regulations (26 CFR Part 1) under sections 61 and 451 of the Internal Revenue Code of 1954, relating to interest on insurance policy dividends and the constructive receipt of income, respectively, was published in the FEDERAL REGISTER (27 F.R. 11264). After consideration of all such relevant matter as was presented by interested persons regarding the rules proposed, the amendment of the regulations as proposed is hereby adopted, subject to the changes set forth below:

PARAGRAPH 1. Paragraph (d) of § 1.61-7, as set forth in the notice of proposed rule making, is revised.

PAR. 2. Paragraphs (a) (3) and (b) of § 1.451-2, as set forth in the notice of proposed rule making, are revised.

[SEAL]

MORTIMER M. CAPLIN,

Commissioner of Internal Revenue.

Approved: April 15, 1964.

STANLEY S. SURREY,

Assistant Secretary of the
Treasury.

The Income Tax Regulations (26 CFR Part 1) under sections 61 and 451 of the Internal Revenue Code of 1954, relating to interest on insurance policy dividends and the constructive receipt of income, respectively, are amended as follows:

PARAGRAPH 1. Paragraph (d) of § 1.61-7 is amended to read as follows:

§ 1.61-7 Interest.

(d) Bonds sold between interest dates; amounts received in excess of original issue discount; interest on life insurance. When bonds are sold between interest dates, part of the sales price represents interest accrued to the date of the sale and must be reported as interest income. Amounts received in excess of the original issue discount upon the retirement or sale of a bond or other evidence of indebtedness may under some circumstances constitute capital gain instead of ordinary income. See section 1232 and the regulations thereunder. Interest payments on amounts payable as employees' death benefits (whether or not section 101(b) applies thereto) and on the proceeds of life insurance policies payable by reason of the insured's death constitute gross income under some circumstances. See section 101 and the regulations thereunder for details. Where accrued interest on unwithdrawn insurance policy dividends is credited annually and is subject to withdrawal annually by the taxpayer, such interest credits constitute gross income to such taxpayer as of the year of credit. However, if under the terms of the insurance policy the interest on unwithdrawn policy dividends is subject to withdrawal only on the anniversary date of the policy (or some other date specified therein), then such interest shall constitute gross income to the taxpayer for the taxable year in which such anniversary date (or other specified date) falls.

PAR. 2. Paragraphs (a) and (b) of § 1.451-2 are amended to read as follows:

§ 1.451-2 Constructive receipt of income.

(a) General rule. Income although not actually reduced to a taxpayer's possession is constructively received by him in the taxable year during which it is credited to his account, set apart for him, or otherwise made available so that he may draw upon it at any time, or so that he could have drawn upon it during the taxable year if notice of intention to withdraw had been given. However, income is not constructively received if the taxpayer's control of its receipt is subject to substantial limitations or restrictions. Thus, if a corporation credits its employees with bonus stock, but the stock is not available to such employees until some future date, the mere crediting on the books of the corporation does not constitute receipt. In the case of interest, dividends, or other earnings (whether or not credited) payable in respect of any deposit or account in a bank, building and loan association, savings and loan association, or similar institution, the following are not substantial limitations or restrictions on the taxpayer's control over the receipt of such earnings:

(1) A requirement that the deposit or account, and the earnings thereon, must be withdrawn in multiples of even amounts;

(2) The fact that the taxpayer would, by not withdrawing the earnings until a later date, receive a higher rate of earnings than would be payable if the earnings are withdrawn during the taxable year;

(3) A requirement that the earnings may be withdrawn only upon a withdrawal of all or part of the deposit or account. However, the mere fact that such institutions may pay earnings on withdrawals, total or partial, made during the last three business days of any calendar month ending a regular quarterly or semiannual earnings period at the applicable rate calculated to the end of such calendar month shall not constitute constructive receipt of income by any depositor or account holder in any such institution who has not made a withdrawal during such period;

(4) A requirement that a notice of intention to withdraw must be given in advance of the withdrawal. In any case when the rate of earnings payable in respect of such a deposit or account depends on the amount of notice of intention to withdraw that is given, earnings at the maximum rate are constructively received during the taxable year regardless of how long the deposit or account was held during the year or whether, in fact, any notice of intention to withdraw is given during the year. However, if in the taxable year of withdrawal the depositor or account holder receives a lower rate of earnings because he failed to give the required notice of intention to withdraw, he shall be allowed an ordinary loss in such taxable year in an amount equal to the difference between the amount of earnings previously included in gross income and the amount of earnings actually received. See section 165 and the regulations thereunder.

(b) Examples of constructive receipt. Interest coupons which have matured and are payable but which have not been cashed are constructively received in the taxable year during which the coupons mature, unless it can be shown that there are no funds available for payment of the interest during such year. Dividends on corporate stock are constructively received when unqualifiedly made subject to the demand of the shareholder. However, if a dividend is declared payable on December 31 and the corporation followed its usual practice of paying the dividends by checks mailed so that the shareholders would not receive them until January of the following year, such dividends are not considered to have been constructively received in December. Generally, the amount of dividends or interest credited on savings bank deposits or to shareholders of organizations such as building and loan associations or cooperative banks is income to the depositors or shareholders for the taxable year when credited. However, if any portion of such dividends or interest is not subject to withdrawal at the time credited, such portion is not constructively received and does not constitute income to the depositor or shareholder until the taxable year in which the portion first may be withdrawn. Accordingly, if, under a bonus or forfeiture plan, a portion of the dividends or interest is accumulated and may not be withdrawn until the maturity of the plan, the crediting of such portion to the account of the shareholder or depositor does not constitute constructive receipt. However, in this case such credited portion is income to the de-

positor or shareholder in the year in which the plan matures. Accrued interest on unwithdrawn insurance policy dividends is gross income to the taxpayer for the first taxable year during which such interest may be withdrawn by him.

(Sec. 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805))

[F.R. Doc. 64-3893; Filed, Apr. 20, 1964; 8:50 a.m.]

[T.D. 6724]

PART 1—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

Distributions in Redemption of Stock To Pay Death Taxes

In order to clarify the meaning of the term "gross estate" in section 303(b)(2) of the Internal Revenue Code of 1954, relating to corporate distributions in redemption of stock to pay certain death taxes, paragraph (b) of § 1.303-2 is amended to read as follows:

§ 1.303-2 Requirements.

(b) For the purpose of section 303(b)(2)(A)(i), the term "gross estate" means the gross estate as computed in accordance with section 2031 (or, in the case of the estate of a decedent nonresident not a citizen of the United States, in accordance with section 2103). For the purpose of section 303(b)(2)(A)(ii), the term "taxable estate" means the taxable estate as computed in accordance with section 2051 (or, in the case of the estate of a decedent nonresident not a citizen of the United States, in accordance with section 2106). In case the value of an estate is determined for Federal estate tax purposes under section 2032 (relating to alternate valuation), then, for purposes of section 303(b)(2), the value of the gross estate, the taxable estate, and the stock shall each be determined on the applicable date prescribed in section 2032.

Because this Treasury decision merely clarifies the regulations relating to the meaning of the term "gross estate" in section 303(b)(2) of the Internal Revenue Code of 1954 and does not adversely affect any existing rights of taxpayers, it is found unnecessary to issue this Treasury decision with notice and public procedure thereon under section 4(a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4(c) of that Act.

(Sec. 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805))

[SEAL]

D. W. BACON,
Acting Commissioner of
Internal Revenue.

Approved: April 15, 1964.

STANLEY S. SURREY,
Assistant Secretary of the
Treasury.

[F.R. Doc. 64-3894; Filed, Apr. 20, 1964; 8:51 a.m.]

Title 41—PUBLIC CONTRACTS

Chapter 9—Atomic Energy Commission

PART 9-1—GENERAL

Subpart 9-1.7—Small Business Concerns

Small Business Policies; Screening of Procurements

Subparagraph (3) of § 9-1.702(b) is revised to read as follows:

§ 9-1.702 Small business policies.

(b) *Specific policies.* * * *
(3) The AEC-SBA Agreement set forth in AECPR 9-1.751 provides a basis for cooperation between the two agencies to further the AEC small business program and the intent of Congress which is set forth in the Small Business Act. It is expected that Field Offices, through contracting officers, will cooperate with the SBA in establishing set-aside programs or in setting aside selected items or classes of items of procurement. Where SBA representatives are not available to screen proposed procurements and to initiate joint small business set-asides, unilateral small business set-asides shall be made by the contracting officers as appropriate. Cost-type contractors shall be encouraged to make similar efforts.

The following section is added:

§ 9-1.705-3 Screening of procurements.

(b) *Class set-asides.* An agreement has been reached between the AEC and the SBA that AEC would accept SBA initiation of class set-asides for formally advertised construction procurements estimated to cost between \$2,500 and \$500,000, including new construction, and repair, maintenance and alteration of structures. When, in the judgment of the contracting officer, a particular procurement falling within these dollar limits is determined unsuitable for a set-aside for exclusive small business participation, he shall notify the appropriate SBA representative of this decision. Unless SBA appeals the decision (see FPR 1-1.706-2), the contracting officer shall proceed to process the procurement on an unrestricted basis. Proposed contracts for construction, and repair, maintenance and alteration of structures having an estimated cost of more than \$500,000 shall be screened individually pursuant to FPR 1-1.705-3(a) and AECPR 9-1.702(b)(3).

(Sec. 161, 68 Stat. 948; 42 U.S.C. 2201; sec. 205, 63 Stat. 390; 40 U.S.C. 486)

Effective date. These regulations are effective upon publication in the FEDERAL REGISTER.

Dated at Germantown, Md., this 10th day of April 1964.

For the Atomic Energy Commission.

JAMES SCAMMAHORN,
Acting Director,
Division of Contracts.

[F.R. Doc. 64-3884; Filed, Apr. 20, 1964; 8:49 a.m.]

Chapter 11—U.S. Coast Guard

[CGFR 63-89]

PART 11-3—PROCUREMENT BY NEGOTIATION

PART 11-4—SPECIAL TYPES AND METHODS OF PROCUREMENT

Miscellaneous Amendments

Pursuant to authority vested in me as Commandant, United States Coast Guard, by Treasury Department Order 167-17 (20 F.R. 4976) and Treasury Department Order 167-50 (28 F.R. 530), § 11-3.204(b)(2)(v) is amended and Subpart 11-4.50 is hereby established under authority of 14 U.S.C. 633 and 10 U.S.C. Chapter 137.

Subpart 11-3.2—Circumstances Permitting Negotiation

§ 11-3.204 Personal and professional services.

(b) * * *
(2) * * *

(v) Names and addresses of commercial concerns located in and around the area where the services are to be required, which are recommended as being capable of performing the desired services determined in accordance with the procedure set forth in Subpart 11-4.50 of this chapter.

(14 U.S.C. 633, 10 U.S.C. Ch. 137)

Subpart 11-4.50—Architect-Engineering Services

Sec.	
11-4.5000	Scope of subpart.
11-4.5001	Selection of offerors for Architect-Engineering services for negotiation and award.
11-4.5001-1	Policy.
11-4.5001-2	Method of soliciting offerors.
11-4.5001-3	Selection and rating of firms for further negotiation.
11-4.5002	Negotiation with selected firms.
11-4.5003	Contract price.
11-4.5004	Records of selection and negotiation.
11-4.5005	Approval.
11-4.5006	Documenting Architect-Engineering services contracts.
11-4.5007	Contract format, terms and conditions.

AUTHORITY: The provisions of this Subpart 11-4.50 issued under 14 U.S.C. 633, 10 U.S.C. Ch. 137.

§ 11-4.5000 Scope of subpart.

This subpart sets forth policies and procedures for use in selecting, negotiating and formalizing contracts for Architect-Engineering Services.

§ 11-4.5001 Selection of offerors for Architect-Engineering services for negotiation and award.

§ 11-4.5001-1 Policy.

Architect-Engineering services contracts estimated to exceed \$2500, will normally be negotiated under authority contained in § 11-3.204 after approval of determination and findings as set forth in § 11-3.204(b).

§ 11-4.5001-2 Method of soliciting offerers.

U.S. Government Architect-Engineering questionnaire (SF-251) prescribed in § 1-16.803 will be used to obtain information necessary for selection of firms best qualified for further negotiation of the type of Architect-Engineering services contract required.

§ 11-4.5001-3 Selection and rating of firms for further negotiation.

(a) Selection of Architect-Engineering firms will be made by a formally constituted selection board appointed by the district commander or commanding officer of Headquarters units consisting of the contracting officer and a minimum of three technically competent staff architects and/or engineers or military personnel having comprehensive experience in construction.

(b) Evaluation of the information contained on SF-251 which is received from firms solicited in accordance with § 11-4.5001-2 for the purpose of developing a preselection list will be made. Illustrative of the general factors to be considered in evaluating a firm are:

(i) Specialized experience of the firm in the type of work required.

(ii) Capacity of the firm to accomplish the work in the required time.

(iii) Past experiences of the firm with respect to performance on Coast Guard or other Government contracts, if applicable.

(iv) Location of the firm in the general geographical area of the project, provided that there are an appropriate number of qualified firms therein for consideration.

(v) Volume of work previously awarded to the firm by the Coast Guard or other Government agencies, with the objective of effecting an equitable distribution of Government Architect-Engineering services contracts among qualified Architect-Engineering firms.

(c) The selection board will perform a detailed review of the qualifications and performance data of each of the firms on the preselection list, conducting such interviews as may be necessary, for the purpose of rating firms in an order of preference for further negotiations. A minimum of three firms will be rated, and all pertinent information will be forwarded by letter for approval of the chief officer responsible for procurement.

§ 11-4.5002 Negotiation with selected firms.

Upon approval of selections, as required in § 11-4.5001-3(c), negotiations will be initiated with the number one firm. In the event that a mutually satisfactory contract cannot be consummated, negotiation will be terminated and the firm so notified. Negotiations will then be initiated with the number two firm, and the same procedure followed until a satisfactory contract is consummated.

§ 11-4.5003 Contract price.

The contract price shall be fixed at the lowest fee obtainable. Title 10 U.S.C. 2306(d) sets forth statutory limitations that may be paid Architect-Engineers for preparation of working drawings and

specifications. In addition to the statutory limitations, the cost is subject to review at the time of contract approval to determine that negotiated price is not in excess of the amount authorized and/or paid for comparable services for comparable Architect-Engineering services contracts. A separate price shall be negotiated for supervision, inspection, soil exploration, and other unusual conditions when included as part of the Architect-Engineering services contract.

§ 11-4.5004 Records of selection and negotiation.

A record of actions taken with respect to selection and negotiation, sufficient to reconstitute a full history of the transaction, to permit ready construction of all of the stages of the transaction, shall be documented and become a part of the contract file for use of authorized personnel.

§ 11-4.5005 Approval.

All Architect-Engineering services contracts, modifications and/or changes thereto, negotiated under § 11-3.204 are subject to approval of the Comptroller, U.S. Coast Guard and shall not be binding until so approved.

§ 11-4.5006 Documenting Architect-Engineering services contracts.

Contract format, terms and conditions set forth in § 11-4.5007 supplemented as deemed necessary by the contracting officer will be used in effecting Architect-Engineering services contracts. The original and three copies of contracts executed by the contractor and the contracting officer will be forwarded for approval required by § 11-4.5005. The original and two copies will be returned for required distribution to the contracting officer.

§ 11-4.5007 Contract format, terms and conditions.

ARCHITECT-ENGINEERING PROFESSIONAL SERVICES CONTRACT

Contract No. _____

CONTRACT FOR PROFESSIONAL SERVICES

Contractor _____
Name of project _____
Location _____
Appropriation _____
Subhead or Project No. _____
Total Fee \$ _____

Completion Date: _____

On this _____ day of _____ 19____, the United States of America (hereinafter called the Government) represented by the Contracting Officer executing this contract, and _____

(hereinafter called the contractor), do hereby agree as follows:

ARTICLE I. PROJECT

The project is identified as follows:

(Name)
(Location)
(Project Number)
(Description)

This project will consist of:

ARTICLE II. SCOPE OF SERVICES

The Contractor shall perform all professional services necessary for completion of the project, including the following:

(a) Make instrument survey as follows and furnish two (2) copies of report:

(b) Make sub-soil investigation described as follows and furnish two (2) copies of report:

(c) Perform services described as follows:

(d) Prepare and furnish the originals or sepiat reproductions of drawings, specifications and cost estimates in three stages as follows:

(1) Preliminary (This phase shall include at least one perspective sketch, preliminary cost estimate and outline specifications.)

(2) Intermediate.

(3) Final (Working drawings and specifications suitable for inviting construction bids are to be included in this stage and the final cost estimate.)

(e) The contractor will furnish _____ bound sets of final drawings reproduced by the _____ process and _____ sets of final specifications printed by the _____ process.

(f) The contractor will prepay shipping charges on all charts, sketches, drawings, specifications and documents which he sends to the Contracting Officer.

(g) The contractor will redesign as necessary at no additional cost to the Government until a satisfactory low bid for construction has been obtained that is within the amount of \$ _____ which is available and reserved for construction.

(h) Furnish Government with _____ sets of "As-Built" plans and specifications if contractor furnishes supervision of construction under (j) of this Article.

(i) After award of the construction contract, the contractor will at no additional cost to the Government:

(1) Prepare any additional explanatory or minor contract change drawings and/or specifications required.

(2) Check and recommend approval or disapproval of shop drawings.

(3) Recommend approval or disapproval of all materials and equipment proposed for use in construction.

(j) The contractor will supervise the construction of the project as follows:

(k) The contractor will provide consultation service during construction.

(l) The services required by paragraphs _____ through _____ of this Article shall be completed within _____ calendar days after contractor's receipt of approved contract. The contractor will furnish time schedules within ten days after receipt of approved contract and progress reports every fourteen days thereafter to assure that the work is well planned and is progressing at such rate that completion dates of each phase will be met.

ARTICLE III. FEE

The Government will pay the contractor a lump sum fixed fee totaling \$ _____ paid as follows for the work outlined in Article II.

\$ _____ upon completion of instrument survey and receipt of acceptable report by Government.

\$ _____ upon completion of sub-soil investigation and receipt of acceptable analysis by Government.

\$ _____ upon completion of services described in paragraph (c) of Article II and receipt of acceptable report by Government.

\$ _____ when all preliminary drawings, specifications and cost estimates are approved.

\$ _____ when all intermediate drawings, specifications and cost estimates are approved.

\$ _____ when all final drawings, specifications and cost estimates are approved.

§ when bound sets of final drawings and sets of specifications are furnished to Government.

§ when awardable low bid is obtained.

§ on completion of construction contract for "As-Built" plans and specifications, checking and approving shop drawings and materials.

Any additional in excess of provided in Article II and ordered by the Government in writing will be paid for at the rate of \$ for each additional

The above payment shall comprise full compensation for all services and materials outlined above.

Prior to final payment, the contractor shall furnish the Government with a release of all claims against the Government under this contract, other than such claims as the contractor may except. He shall describe and state the amount of each excepted claim.

ARTICLE IV. REIMBURSEMENT FOR TRAVEL

The contractor agrees that all necessary travel by his representatives will be at the contractor's expense and no additional reimbursement therefor will be claimed unless directed in writing by the Government. If directed to travel by the Government, reimbursement will be subject to the law and regulations applicable to Government employees plus subsistence at rate of \$ per person per day while in travel status.

ARTICLE V. REVISIONS

a. The Government will pay an additional fee for changes or revisions required by the contracting officer and approved in accordance with the article entitled "Approval" of this contract, after approval of any material submitted: Provided, that the Government will not pay additional fee for any correction or revision (even though required after approval of any material submitted) if the contracting officer finds that such requirement results from deficiencies for which the contractor was responsible.

b. Such additional fee shall be fixed by negotiation between the parties hereto and shall be covered by a written change order to the contract.

c. The contracting officer may change the basic requirements of the project. If, in the opinion of the contracting officer, this requires major revision or abandonment of drawings or other documents, the Government shall pay the contractor for such revisions or for new drawings or documents required to replace those abandoned, an amount to be agreed upon by the parties hereto.

ARTICLE VI. DATA AND SERVICES FURNISHED BY THE GOVERNMENT

The Government will:

a. Furnish surveys, soil data and information on existing facilities when available.

b. Furnish design data, standard details, specification forms, copies of Coast Guard Engineering Instructions, guides and other available information.

c. Review for final acceptance all material submitted by the contractor.

d. Confer with and obtain approval of occupying agencies.

e. Obtain bids and award all construction contracts.

f. Approve material samples.

g. Supervise, administer and inspect the construction contract if not provided for otherwise in Article II(j).

ARTICLE VII. ABANDONMENT, DEFERMENT OR TERMINATION

a. The contracting officer may abandon or indefinitely defer the work at any time he finds it expedient or necessary.

b. If, in the opinion of the contracting officer, the contractor violates any terms or conditions of this contract, or his conduct may jeopardize the Government's interests, the contracting officer may terminate this contract by written notice to the contractor.

c. If the work is abandoned or deferred or the contract terminated by the contracting officer, the Government shall pay the contractor that proportion of his fee that the amount of acceptable work he has actually done on his current submission of work bears to the whole of that submission. Payment by the Government of such compensation shall be in full and final settlement for all work performed by the contractor. After such payment, all charts, sketches, drawings, and other documents, whether finished or not, shall become the property of the Government.

ARTICLE VIII. BASIC DATA CLAUSE

Insert the clause prescribed in (ASPR) 32 CFR 9-203 under the conditions and in the manner set forth therein.

ARTICLE IX. TERMINATION FOR DEFAULT—DAMAGES FOR DELAY—TIME EXTENSIONS

Insert the clause set forth in § 1-8.709 under the conditions and in the manner set forth therein.

ARTICLE X. DISPUTES

Insert the clause set forth in § 1-7.101-12.

ARTICLE XI. OFFICIALS NOT TO BENEFIT

Insert the clause set forth in § 1-7.101-19.

ARTICLE XII. COVENANT AGAINST CONTINGENT FEES

Insert the clause set forth in § 1-1.503 under the conditions contained in § 1-1.501.

ARTICLE XIII. ASSIGNMENT OF CLAIMS

Insert the clause set forth in § 1-7.101-8 in the manner prescribed therein.

ARTICLE XIV. NONDISCRIMINATION IN EMPLOYMENT

Insert the clause set forth in § 1-7.101-18.

ARTICLE XV. CONVICT LABOR

Insert the clause set forth in § 1-12.203 under the conditions and in the manner prescribed in § 1-12.202.

ARTICLE XVI. MILITARY SECURITY REQUIREMENTS

Insert the clause set forth in (ASPR) 32 CFR 7-104.12 under the conditions and in the manner prescribed therein.

ARTICLE XVII. DEFINITIONS

Insert the clause set forth in § 1-7.101-1.

ARTICLE XVIII. APPROVAL

This contract and any modifications there- to shall be subject to written approval of the Comptroller of the United States Coast Guard and shall not be binding until so approved.

ARTICLE XIX. CHANGES

Insert the clause set forth in § 1-7.101-2.

ARTICLE XX. EXAMINATION OF RECORDS

Insert the clause set forth in § 1-7.101-10 under the conditions and in the manner prescribed therein.

ARTICLE XXI. TERMINATION FOR THE CONVENIENCE OF THE GOVERNMENT

Insert the appropriate clause prescribed in § 1-8.700-2(a)(1) as applicable under the conditions and in the manner prescribed therein.

ARTICLE XXII. NOTICES AND INTERPRETATIONS

Insert the clause set forth in § 11-7.101-65.

ARTICLE XXIII. WORK HOURS ACT OF 1962—OVERTIME COMPENSATION

Insert the clause prescribed in Subpart 1-12.3.

ARTICLE XXIV. RELEASE OF INFORMATION

The contractor agrees not to divulge or release any information developed or obtained in connection with performance of this contract concerning the details of performance of this contract or any possible construction based on the results thereof (including but not limited to plans, specifications, location, time or estimated cost of construction), except to authorized Government personnel or upon the prior written approval of the Contracting Officer.

ARTICLE XXV. SUBCONTRACTING FOR WORK OR SERVICES

No contract shall be made by the contractor with any other party for furnishing any of the work or services herein contracted for without approval of the Contracting Officer, but this provision will not be taken as requiring the approval of contracts of employment between the contractor and personnel assigned for services thereunder, except as otherwise provided for in the terms of this contract.

ARTICLE XXVI. INSPECTION, DELIVERY, AND ACCEPTANCE

The work called for hereunder, as well as the contractor's books, records, and place of business, related to the performance of this contract, shall, at all reasonable times, be subject to inspection by the Contracting Officer. Delivery shall be made to at which is designated as the place for final inspection and acceptance by the Government.

ARTICLE XXVII. RESPONSIBILITY OF THE CONTRACTOR

Notwithstanding any review, acceptance or approval by the Government, the contractor shall be responsible for the professional and technical quality of all designs, drawings, specifications and other material produced under this contract, for the professional quality and adequacy of the services and material furnished; and for compliance with design criteria specified by the Government for use under this contract.

ARTICLE XXVIII. CERTIFICATION OF DRAWINGS AND OTHER DOCUMENTS

The contractor, or his authorized representative, shall sign the original tracings of all drawings and the first page of all specifications, estimates, or similar documents under the contractor's printed name and over the affixed replica of his professional seal or his registration certificate number, including the state or jurisdiction of issuance.

IN WITNESS THEREOF, the parties hereto have executed this contract as of the date entered on the first page hereof.

UNITED STATES OF AMERICA,
By

(Official title)

CONTRACTOR

(Name of contractor)

By

(Title)

This contract is authorized by section 2304a (4), Title 10, U.S.C.

APPROVAL

(Date)

It is hereby determined that this contract is authorized by law; that it is advantageous to and necessary in the best interests of the

Government; existing facilities of the Coast Guard are inadequate to accomplish the required services; and compensation specified herein is considered reasonable.

Dated: April 9, 1964.

[SEAL] E. J. ROLAND,
Admiral, U.S. Coast Guard,
Commandant.

[F.R. Doc. 64-3883; Filed, Apr. 20, 1964;
8:49 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 33—SPORT FISHING

North Dakota, Arrowwood National Wildlife Refuge et al.

The following special regulations are issued and are effective on date of publication in the FEDERAL REGISTER.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

NORTH DAKOTA

ARROWWOOD NATIONAL WILDLIFE REFUGE

Sport fishing on the Arrowwood National Wildlife Refuge, North Dakota, is permitted only on the areas designated by signs as open to fishing. These open areas, comprising 1,270 acres or 39 percent of the total water area of the refuge, are delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minnesota, 55408. Sport fishing is subject to the following conditions:

(a) Species permitted to be taken: Northern pike, walleyes, yellow perch, bullheads, and other minor species permitted by State regulations.

(b) Open season: May 9, 1964, through September 15, 1964; daylight hours only. Black bass season opens June 6, 1964.

(c) Daily creel limits: Northern pike—3, walleyes—5, or a combination of five (5), 20-inch size limit on northern pike, yellow perch and bullheads—no limit; other minor species limits as prescribed by State regulations.

(d) Methods of fishing:

(1) No more than two poles with a single hook or lure attached to each may be used by each fisherman. Artificial lures are considered as single hooks.

(2) The use of boats, without motors, is permitted.

(3) See State regulations for additional details.

(e) Other provisions:

(1) The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33.

(2) A Federal permit is not required to enter the public fishing area.

(3) The provisions of this special regulation are effective to September 16, 1964.

LAKE ILO NATIONAL WILDLIFE REFUGE

Sport fishing on the Lake Ilo National Wildlife Refuge, North Dakota, is permitted only on the area designated by signs as open to fishing. This open area, comprising 400 acres or 45 percent of the total water area of the refuge, is delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minnesota, 55408. Sport fishing is subject to the following conditions:

(a) Species permitted to be taken: Northern pike, walleyes, yellow perch, bullheads, and other minor species permitted by State regulations.

(b) Open season: May 9, 1964, through September 15, 1964; daylight hours only. Black bass season opens June 6, 1964.

(c) Daily creel limits: Northern pike—3, walleyes—5, or a combination of five (5), 20-inch size limit on northern pike, yellow perch and bullheads—no limit; other minor species limits as prescribed by State regulations.

(d) Methods of fishing:

(1) No more than two poles with a single hook or lure attached to each may be used by each fisherman. Artificial lures are considered as single hooks.

(2) The use of boats, with motors not to exceed 7½ h.p. is permitted.

(3) See State regulations for additional details.

(e) Other provisions:

(1) The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33.

(2) A Federal permit is not required to enter the public fishing area.

(3) The provisions of this special regulation are effective to September 16, 1964.

LONG LAKE NATIONAL WILDLIFE REFUGE

Sport fishing on the Long Lake National Wildlife Refuge, North Dakota, is permitted only on the areas designated by signs as open to fishing. These open areas, comprising 1,800 acres or 13 percent of the total water area of the refuge, are delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minnesota, 55408. Sport fishing is subject to the following conditions:

(a) Species permitted to be taken: Northern pike, walleyes, yellow perch, bullheads, and other minor species permitted by State regulations.

(b) Open season: May 9, 1964, through September 15, 1964; daylight hours only. Black bass season opens June 6, 1964.

(c) Daily creel limits: Northern pike—3, walleyes—5, or a combination of five (5), 20-inch size limit on northern pike, yellow perch and bullheads—no limit; other

minor species limits as prescribed by State regulations.

(d) Methods of fishing:

(1) No more than two poles with a single hook or lure attached to each may be used by each fisherman. Artificial lures are considered as single hooks.

(2) The use of boats, with motors not to exceed 7½ h.p. is permitted.

(3) See State regulations for additional details.

(e) Other provisions:

(1) The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33.

(2) A Federal permit is not required to enter the public fishing area.

(3) The provisions of this special regulation are effective to September 16, 1964.

LOWER SOURIS NATIONAL WILDLIFE REFUGE

Sport fishing on the Lower Souris National Wildlife Refuge, North Dakota, is permitted only on the areas designated by signs as open to fishing. These open areas, comprising 880 acres or 8 percent of the total water area of the refuge, are delineated on a map and described in a leaflet available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minnesota, 55408. Sport fishing is subject to the following conditions:

(a) Species permitted to be taken: Northern pike, walleyes, yellow perch, bullheads, and other minor species permitted by State regulations.

(b) Open season: Daylight hours only from May 9, 1964, through December 31, 1964, in all fishing areas (Numbers I through IX) south of the Westhope-Landa Road; May 9, 1964, through September 15, 1964, in all fishing areas (Numbers X and XI) north of the Westhope-Landa Road. Black bass season opens June 6, 1964.

(c) Daily creel limits: Northern pike—3, walleyes—5, or a combination of five (5), 20-inch size limit on northern pike, yellow perch and bullheads—no limit; other minor species limits as prescribed by State regulations.

(d) Methods of fishing:

(1) No more than two poles with a single hook or lure attached to each may be used by each fisherman. Artificial lures are considered as single hooks.

(2) Boats. The use of boats is not permitted in Fishing Areas I, II, IV, V, VII, VIII, and IX. The use of boats, without motors, is permitted in Areas III and VI. The use of boats, with motors not to exceed 7½ h.p., is permitted in Areas X and XI.

(3) See State regulations for additional details.

(e) Other provisions:

(1) The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33.

(2) A Federal permit is not required to enter the public fishing area.